OVER CUSTODY OF CHILD

BOARD OF GUARDIANS AND PROBATE COURT MILDLY CLASHING.

Case of Pretty Little Georgia Hyatt Has Unusually Interesting Features-Court Grist.

Within the last few days there has been a mild clash between the Board of Children's Guardians and the probate department of the Circuit Court, of which Merle N. A. Walker is at the head. The question to be decided is who is entitled to the possession of pretty little Georgia Hyatt, who is about eleven or twelve years of age. The Board of Guardians desires to have the child adopted into a family and Probate Commissioner Walker is not settled in his mind as to who should be the future guardian. The child is the daughter of Mrs. Dollie Frank, whose former husband was killed some years ago in an accident.

The child Georgia, after the death of her father, was taken in charge by the Board of Children's Guardians and placed in the home of Adrian and Sarah Lindsay, the grandparents of the child. The mother was the guardian, but Commissioner Walker after a time asked her to resign. The Lindsays and the mother of the child live on the same street within a few doors of each other. After the mother weepingly gave up the guardianship of the child she learned that no adoption papers had been issued to the Lindsays and she promptly. went there and demanded little Georgia. She secured possession of the child and took her home. Later the grandparents got her back and again the mother got possession. Since then the mother and grandparents have been having the child back and forth, each claiming possession. A day or two ago Evans Woollen, attorney for the Board of Guardians, rushed breathlessly into the probate court with adoption papers which were got out several months ago and which some one had neglected to file with the court. As the situation stands pow the Board of Guardians is demanding | Grant C. C. Appellant's petition and brief that adoption papers be issued to the Lindsays and Commissioner Walker has prom-ised the mother that he will take no action until he has fully investigated the case. In pointed W. P. Maine guardian of the child. the Board of Guardians claim that the child can be adopted to the grandparents because she has no property. Com- Stewart et al. vs. William H. Schmid et al. missioner Walker disagrees with this claim Appellee's brief (8.) and contends that the child is entitled to a 4728. Nordyke & Marmon Company vs. one-third interest in property which her Augustine H. Fitzpatrick. Greene C. C. mother purchased with money received on | Appellant's petition to make additional paraccount of her husband's death.

FOOD COMPANY ASSIGNS.

Finances at Low Ebb and Action Taken to Benefit Creditors.

The Maltena Food Company yesterday filed a deed of assignment with the county recorder for the benefit of creditors. Loven G. Leach was named as assignee. The company's plant is situated at Montcalm and Eighteenth streets. It was formerly a broom factory, but about three months ago was fitted out for the manufacture of "Maltena," a cereal food. The company was capitalized at \$500,000, and was organ-ized under the laws of Maine. Ira A. Craw is president of the company and Jay C. Holden is secretary.

It is stated that the liabilities, aside from a mortgage on the plant, are between \$700 and \$1,000. The plant is valued in the neighborhood of \$10,000, it is claimed. It is announced that the cause of the company's embarrassment was the fact that the stock. when put on the market, did not sell as that the company failed to realize on a large amount of the stock subscribed. Attorney David A. Leach, who represents the company, said last night that a reorganization would be brought about under the laws of Indiana. One difficulty met by the promoters in disposing of the stock was a suspicion on the part of those approached that the scheme would bear watching because it had been organized so far from "The fact is," Mr. Leach said, "the promoters were advised to organize in so much less there than in Indiana. That is the only reason the concern became a Maine corporation."

was personally liable on the note, and that it was not the debt of the corporation. [71]

SMELLS TOO STRONG.

Farmer Tatman Asks Injunction Against a Fertilizing Factory.

In a suit for an injunction brought yesthe comfort of his home life is destroyed and his land has depreciated in value. He asks that the defendants be required to abate the nuisance and be enjoined from operating the factory in a way that will cause annoyance in the neighborhood.

Federal Grand Jury Meets.

The Federal grand jury met yesterday and will be in session about two weeks. Judge violations of the internal revenue laws, vio- illness. [73 Southwestern Rep. (Texas, lations of the postal laws and counterfeit- Judge Neill), 28.] ing. He made no allusion to the intimations of perjury by certain witnesses in the conceedings against W. W. Watts and D. A. Sachs several months ago.

Henry C. Shobe, of Linden, was selected foreman of the jury. The other members of the jury are John Bryant, Coatesville; William G. Bain, Martinsville; Henry Carr, ville; Henry Cloe, Zionsville; William M. Coffield, Greenfield; John Green, Spencer; George Hitz, city; Alexander Hull, Whitestown; William Johnson, Greentown; William Kerr, Union City; J. A. Milhol-land, city; Isom L. Morris, Hausertown; John Muret, Vevay; Howard Pruitt, Mar-tinsville; John H. Bate, Aurora; Joshua Tipton, Pikes Peak; Asher Wert, Crawordsville; Moses Whittinger, Colfax, and Benjamin Yantis, Logansport.

Suit in Federal Court.

Evidence in the suit of Allison H. Blevins against the Southern Rallway Company for \$20,000 damages for personal injuries was heard by the petit jury in Federal Court yesterday. The case will be argued this morning and will go to the jury by ty, near Julietta, have been completed and noon. Blevins was injured while working it is the intention of the projectors of the as a section hand for the Southern at New | road to let contracts at once for the grad-Albany. It is said that he was employed removing the fishplate from a buckled rail. | tract cannot be made for this work the When the tension was removed from the rail Blevins was struck and lost one of his have men employed within a few days.

In Hands of a Jury.

The suit of Laura Doherty against the Indianapolis Street-railway Company for \$20,000 damages went to the jury in Room 1, Superior Court, yesterday. Mrs. Doherty was struck by a car while she was crossing Massachusetts avenue and injured. The case went to trial in Room 2, Superior Court, some time ago, but was dismissed by the plaintiff on account of insufficient evidence. Later the desired evidence was

Wills Probated.

The will of Samuel O. Johnson was probated yesterday. The will bequeaths the and Madison. property of the testator to his daughters, Laura and Jessie Johnson. The Union Trust Company was appointed executor. The will of Louis Disch was also probated yesterday. John Disch, a son, is named as the executor.

Mrs. Cory's Complaint.

Emma L. Cory is suing George N. Cory for divorce, alleging that soon after their marriage he began a continual course of abuse toward her and at times when enraged would beat and kick her.

THE COURT RECORD.

SUPERIOR COURT. Room 1-John L. McMaster, Judge. Laura Doherty vs. Indianapolis Street-Company; damages. On trial by

Room 2-James M. Leathers, Judge. Andrew J. Barnes vs. Albert Schad; Note. F. E. Cornwell vs. Ford P. Rusling; note.

Defendant defaulted. Submitted to court. Evidence heard. Finding and judgment against defendant for \$644.85 without relief

Room 3-Vinson Carter, Judge. The City Trust Safe Deposit and Surety Company vs. C., C., C. & St. L. Railway Company et al.; contract. On trial by

CIRCUIT COURT. Henry Clay Allen, Judge. Flora Springer vs. Robert Springer et al Settled and dismissed. Costs paid. Birdie Jester vs. William O. Jester. Dis-missed. Judgment against plaintiff for

Less Sutton vs. Charles Hollowell. De-fendant defaulted. Submitted to court. Finding for plaintiff. Judgment against defendant for \$45 and costs without relief. Foreclosure of chattel mortgage. Less Sutton vs. Frank J. Davenport. Defendant defaulted. Submitted to court. Finding for plaintiff. Judgment against defendant for \$83.25 and costs without relief. Foreclosure of chattle mortgage. Less Sutton vs. Everett Campbell. Dis-Judgment against plaintiff for

William Harrison vs. T. M. Neal. missed for want of prosecution. Judgment against plaintiff for costs. Mabel Barnfield vs. John Barnfield. Dis-Judgment against plaintiff for

Mary Zoller vs. Mathew Sauter. Dismissed for want of prosecution. Judgment against plaintiff for costs. Gertrude Noble vs. George Noble. Sub-mitted to court. Finding for plaintiff decree of divorce. Maiden name of Gertrude Christian restored. Judgment against de-

NEW SUITS FILED. Charles Tatman vs. Henry G. Dockwiler et al.; injunction. Superior Court, Room 2. Emma L. Cory vs. George N. Cory; divorce. Superior Court, Room 1. Merchants' National Bank vs. Harry B. Cannine; suit on note. Circuit Court. Wilda H. Carter vs. Henry M. Culbertal.; damages. Superior Court,

> HIGHER COURTS' RECORD. SUPREME COURT. -New Suits .-

20122. Board of Commissioners of Harrison County vs. Jane Hunter. Harrison C. C. Record. Assignment of errors. In Record. Assignment of errors. In -Minutes.-

Jesse Mankin vs. Pennsylvania Company. Porter C. C. Appellee's request 19945. Edward Given vs. State of Indiana.

> APPELLATE COURT. -Minutes.-

George R. Chamberlain et al. vs. C. Appellees' petition to advance. 4654. State of Indiana ex rel. Romus F. ties appellants, and for leave to amend assignment of errors and notice. 4661. George Short vs. Aaron Acton. Hendricks C. C. Appellee's petition for additional time. Granted to Aug. 1, 1903.

RECENT LEGAL OPINIONS.

-Intoxicating Liquors-Sale Without Per-The attorney of a town employed a de-

tective to ascertain whether the town ordinance, prohibiting the sale of intoxicating liquors without a permit, was being violated, agreeing to pay his expenses and a ordinance was being violated. The detective gave \$1 to a witness and with it he bought whisky of the defendant. There was no evidence that the money was furnished by the town or its attorney, or that the detective was instructed or directed as to the purchase of liquors. The facts of the sale and that defendant had no permit were not disputed, but the trial court discharged the defendant. Held, that this was error, since the purchase of the liquor was not procured by the town, or with its money. [71 Pacific Rep. (Colorado, Judge Steele), 1108.]

-Corporation Notes-Debts of Officers .-Defendant, who was the president of two mining corporations, agreed with one of them to purchase a large number of shares of its treasury stock, and for this purpose executed a note in the name of the other company by himself as president. In an action on the note, the court found that it was so executed to conceal the fact that defendant, who was president and director of the selling company, was in fact selling tion which executed the note had no inter-Maine because the incorporation fees are est in the purchase. Held, that defendant

-Husband and Wife-Alienation of Affec-

In an action by a wife for the alienation of her husband's affections by his father the husband married plaintiff reluctantly, and against the wishes of his parents, he terday by Charles Tatman complaint is made against the fertilizing factory of mental in inducing the husband to leave Dockwiler & Kingsbury. The factory is near | her, was sufficient to support a verdict for Tatman's farm and he says his family is plaintiff. Parents are not justified in disrupting, without cause, the marriage ties annoyed by the odors and stenches arising from the place. The nuisance has brought sickness in his home, he avers, and in fact against their wishes. [73 Southwestern Rep.

(Missouri), 255.] -Infants-Damage to Parents.-Where plaintiff's wife and child were injured by reason of a railroad's negligence. and plaintiff, who was a physician, treated and cared for them, he was not entitled to recover for loss of patronage in his busi-ness as a physician, while detained at home on acount of the illness of such wife and Neither is he entitled to recover for alleged mental anguish suffered by either Anderson instructed the jury only as to himself or his wife by reason of the child's

> Where a passenger held an excursion ticket, sold at a reduced rate, which recited that it was not good on a particular train, and, though he did not read the ticket before boarding the train, he was apprised that it did not entitle him to travel thereon, he was not entitled to recover damages for his ejection accompanied by no unnecessary force. [73 Southwestern Rep. (Texas, Judge Key), 24.]

WORK ON CINCINNATI LINE.

Grading on First Division Will Begin in a Few Days.

Work of grading the first division of the Indianapolis & Cincinnati traction line between Indianapolis and Rushville will begin in a few days. Profiles for a five-mile Lakeville section in Hancock county, another fivemile section in Rush county and a section of three and one-half miles in Marion couning on these sections. If a suitable concompany will do the work and expects to It is the intention of the Indianapolis & Cincinnati Traction Company to construct the line from this city to Rushville with the least possible delay.

Line to Madison.

Madison will be connected with Indianapolis by an interurban line. W. B. Hubbard, H. D. Yoder and other Indianapolis men have secured franchises for the construction of a line from Madison through Jefferson, Jennings and Bartholomew counties to Columbus. Most of the franchises provide that the work must be begun in three years. According to plans the line will connect at Columbus with the Indianapolis, Columbus & Southern and will thus give a through line between Indianapolis

FALL CAUSED DEATH.

"Kin" Johnson Was Working at the

New Piel Starch Plant. "Kin" Johnson, a bricklayer, died in the City Hospital yesterday from the effects of a thirty-foot fall from a wall which he starch plant. His address is unknown, but he was a member of Bricklayers' Union. No. 3. Johnson was at work during the morning when he suddenly fell fully thirty feet onto a pile of bricks below. He suffered several broken bones and a fractured skull, the latter wound causing his death. Johnson was taken to the hospital by Dr. Crockett, of the City Dispensary, who attended him after he had fallen.

A medal and diploma for "an excellent champagne, agreeable bouquet, delicious flavor." Cook's Imperial Extra Dry.

LIFE INSURANCE BUSINESS IN INDI-ANA HAS GROWN.

Vast Amount Paid on Claims in 1902-Interesting Figures Furnished from Reports of All Companies.

Life insurance claims to the amount of \$4,359,509 were paid in Indiana in 1902 according to reports made by the companies doing business in the State. Some interesting figures are furnished relative to the immensity of life insurance business of the present day by the Insurance Press. In New York city the estimated amount of life insurance business in force is \$2,056,-000,000. The estimate for Indianapolis is a round \$70,000,000. - Claims amounting to \$769,-800 were paid in Indianapolis in 1902. In Fort Wayne \$186,662 was paid in claims, in Evansville \$179,660, in South Bend \$154,788.

All reports indicate an enormous growth in business, particularly in the middle States. New York is far ahead of other commonwealths in its purchase of life insurance. The fact emphasizes the fact that the State having the largest percentage of urban population is the best customer of life insurance companies. The following claims of more than \$10,-000, some death claims and others that have matured, were paid in Indiana during 1902:

Evansville-Edward G. Ragon, \$26,195. Indianapolis-Thomas E. Charles, \$25,000; John H. Dilks, \$13,328; Daniel P. Erwin, \$40,000; Frederick Fahnley, \$10,000; Nathan Kahn, \$10,000; John C. Wright, \$12,373. Michigan City-Charles H. Cook, \$37,515.

Columbus-Simeon Stansifer, \$10,687.

| ı | Whiting-Chri | stophe | r Harms, \$10,000. |
|----|---------------------------------------|-----------------|-----------------------|
| ١ | Following is the amount of claims pai | | |
| 1 | Indiana cities a | | |
| 4 | | | Linton |
| 1 | Addington | 11,000 | Livonia |
| 1 | Ainsworth | 3,285 | Logansport |
| 1 | Alama | 2,000 | Loogootee |
| 1 | Alexandria | 12,000 | Lowell |
| 8 | Alfordsville | 6,000 | Lynn |
| 1 | Anderson | 18,067 | Lynnville |
| ı | Angola | 4,000 | Madison |
| ı | Arcadia | 3,000 | Mailensville |
| ì | Arlington | 3,000 | Manchester |
| 1 | Attica | 2,500 | Manilla |
| 8 | Auburn | 9,000 | Marion |
| ı | Augusta | 2,000 | Marshall |
| ١ | Aurora | 6,000 | Martinsville |
| 1 | Austin | 2,686 | Maxwell |
| ı | Avilla | 2,000 | M'Cutcheonville |
| ı | Bedford | 17,500 | Mervin |
| 9 | Bethlehem | 3,000 | Michigan City. |
| 9 | Bloomfield | 2,000 | Milliken's Bend |
| 1 | Bioomington | 26,363 3,000 | Mishawaka Mitchell |
| d | Bluffton Boone Grove | 2,966 | Mohawk |
| B | Boonville | 6,221 | Monroeville |
| ā | | 4,000 | Monroe City |
| | Bourbon | 18,092 | Montezuma |
| 9 | Brightwood | 3,000 | Monticello |
| ij | Brookston | 4,000 | Montpelier |
| 8 | Brownstown | 6,000 | Mooresville |
| ä | Brunswick | 2,000 | Moran |
| ř | Buck Creek | 4,000 | Morgantown |
| ì | Bunker Hill | 2,024 | Morris |
| -1 | Cambridge City | 10,927 | Mt. Carmel |
| ٩ | Cannelton | 2,000 | Mt. Sterling |
| 61 | Carlisle | 3,000 | Mt. Vernon |
| H | Carmel | 2,000 | Mt. Zion |
| | Carpentersville. | 2,000 | Mulberry |
| 9 | Carthage | 4,503 | Muncie New Albany |
| | Cataract | 2,000 4,000 | New Albany |
| | Cayuga | 3,000 | Newburg |
| 1 | Chesterville | 3,600 | New Carlisle |
| | Chesney | 1,208 | New Castle |
| ij | Churubusco | 3,000 | New Harmony. |
| ĕ | Cicero | 1,000 | New Lebanon |
| 9 | Clinton | 16,864 | Newmarket |
| a | Cochran | 7,000 | New Ross |
| 1 | Coal City | 5,000 | Noblesville |
| | Columbia City | 9,000 | North Liberty |
| ı | Columbus | 38,302 | N. Manchester. |
| 1 | Connelsville | 3,000 | North Vernon |
| | Connersville | 12,182 | Oaktown |
| | Converse | 10,023 | Oakville |
| 5 | Coolspring | 1,755 | Aslita |
| , | Corning | 2,000 | Oatsville |
| | Cortland | 6,000 | Orleans |
| 3 | Corunna | 5,000 | Otterbein |
| ì | Covington | 6,000 | |
| | Crawfordsville. | 17,016 | Packerton |
| | Crothersville . | 1,155 | Paoli |
| | Cromment at the | 400000 | |

Parker Patriot Pendleton Petersburg Plymouth Pulaski Quercus Dunkirk Raleigh Reelsville Remington East Chicago ... Elizabethtown... 34,970 Elkhart

Rising Sun.... Roachdale Roanoke Rochester Russiaville Skelton Gas City

Stilesville Stockwell Sunman Tell City Terre Haute ... Thorntown Tipton Trafalgar Uniontown Unionville

Valparaiso Irvington Van Buren..... Jasonville Vevay Walkerton Walton Ward Warrington Warsaw ... West Hammond

Kewanna Knightstown ... Kokomo Lagrange Leesburg Lewisville Liberty Ligonier

11,000 Unclassified 9,317 Total\$4,359,509 THE FJORDS OF NORWAY.

Williamstown .

Worthington ...

Third Successful Illustrated Lecture by Burton Holmes. Burton Holmes continued his series of lectures last night at English's Opera House, taking for the subject of the third travel talk in his course "Norway; through the Five Great Fjords." The theater should have been crowded, as Mr. Holmes's

lectures are the best of their kind ever heard in this city and they grow in interest as the course progresses. There was but a small audience present, and it is doubtful if Mr. Holmes and his managers will care to again undertake next season the task of providing the Indianapolis public with this sort of instructive entertainment. The first half of the lecture was devoted to detailed descriptions of a number of towns in Norway, together with the Norse types encountered by Mr. Holmes and the tourists who accompanied him on his travels. The lecturer indulged in some humorous bits of philosophy regarding a town named Hell, situated not far from Trandhjem. He said that he was glad that he had exercised the foresight to purchase a round-trip ticket when he made his railway journey to that place from Trandhjem. He talked very entertainingly of the peculiarities of the Norse people, of the sad manner with which they go about their amusements and the sincerity which characterizes everything they do. Some splendid stereopticon views of the towns and their inhabitants were shown and several fine motion pictures of tourist parties and

In the second half of his lecture Mr.

tains of beautiful Norway—"up where the clouds hang like torn curtains over the cliffs"—and then told in picturesque language all about the great fjords, while the stereopticon machine and the moving pictures appropriate the stereoptic of the ste ture apparatus illustrated every scene to which he alluded in a graphic manner that brought forth enthusiastic applause. A magnificent panorama of the Djupvand was shown, and another panorama of the snow fields gave the spectators a good idea of the rugged beauty of the ice-bound country across the sea. The feature of the lecture, however, was the description and panorama of the Hardanger fjord. The very remarkable series of views of this fjord occupied nearly an hour and a half in the taking, but by a novel mechanical adjustment of the motion machine the entire panorama was thrown on the screen in less than three minutes' time, the audience in effect being taken on a thirty-mile

Mr. Holmes's illustrated lectures are not easily reviewed. They must be heard and is from representatives of Ringling Broth-seen to be appreciated. He is deserving of ers' immense show which is billed to encouragement in Indianapolis-much more encouragement than he has so far received. The last lecture of his present course will be given Wednesday evening of next week, when he will tell more interesting things about Norway, his subject being "Norway, the Land of the Midnight Sun."

RIGHTS OF COLORED MEN.

An Earnest Protest Against Nullification of the Constitution. To the Editor of the Indianapolis Journal:

The Hon. John Caldwell Calhoun died too soon. He should have lingered on into our day, and so have witnessed the triumphant establishment of the doctrine for which, throughout his public life, he so sturdily contended. For his doctrine was not secession, but nullification. He never advocated secession, but regarded it as outside of the Constitution. It was otherwise as to nullification. "His opinion was that each State of the Union had the power to decide for itself in respect to the constitutionality of any federal law, and to resist its enforcement within the State if the people regarded it as unconstitutional." He wanted the Union, but he would have slavery, too. For, he said, "to destroy the existing relations" between master and slave "would be to destroy the prosperity of the Southern States, and to place the two races in a state of conflict latter was removed from the cage she speedily made overtures to Snoots, and the two giraffes have since been the best of which must end in the expulsion or extirpa- friends. They occupy the same cage, and tion of one or the other." Well, the war, in its destruction of slavery, destroyed "existing relations" and the doctrine of seces- die from the effects of a broken heart. sion; but the South, through its rehabilitation of the doctrine of nullification, extended to include the provisions of the Constitution of the United States as well as "federal laws," is rapidly establishing "relations" between the races down there which, if not identical with that of master and slave, are certainly more to the advantage of the former master race. And, as the Supreme Court, in its decision against Mr. Giles, seems to have committed itself to the rule that no American citizen has any political right which any State is bound to respect, whether in law or in equity, why, the Union appears at last to be pretty firmly estab-lished about on Mr. Calhoun's plan.

But, for all that, the late decision of the court seems to a nonlegal mind to somewhat brighten the Dred Scott decision, and to be fuller of possibilities of mischief than any other decision ever rendered by a reputable court. For the logical conclusion from it is that the action of certain States has already made certain constitutional provisions of no force, so that they do not need to be repealed or in any manner further considered. And, as the Journal the other day suggested, if one State may do this way with one provision of the Constitution another State may do so with another, and so on and so on, and it is only a question of time when chaos shall become again in very deed. It has, therefore, become, or has become obvious that it is, as always it was, more a white man's than a negro's question. A large number of us thought when, twentyfive years and more ago, the negro ward of the Nation was turned over to the cruel mercy of the South that the action was one of downright cowardice; and so it was, cowardly and vicious to the last degree. For, as far as the South can determine it, the negro is doomed to a state of poverty, ser-vility, ignorance, vice and degradation worse than that of the old slave days. They do not want to get rid of him, for they want the fruits of his labor. They do not want him instructed, for then he will push himself still further above the level of their iower class of whites, who are, after all, the most pitiable product of the social system of the old slavery days. They do not want any amelioration whatever of the hard lines of life for the negro, but, blind with the blindness of their tawdry individualism, would push him down below the level of their lowest class of whites, and so, by degrading him, demonstrate the superiority of the other. These are hard things to say assuredly, but it is coming time to tell the unvarnished truth. They have been too long tolerated in the role of a naughty boy who has been overpunished, and, therefore, should be humored in some intemperate exhibition of natural resentment. The things they have done and said and the rising tide of their utterances making and the rising tide of their utterances making the said and the rising tide of their utterances making the said the rising tide of their utterances making the said the rising tide of their utterances making the risks are researched. ing against any betterment of conditions for the negro show, when considered in connection with the multiplying echoes of approval of their purposes which are coming from all over the North, that danger is again developing out on that road. The conscience of the Nation could not force it to take cog-nizance as a unit of the cry of God's poor in its ear before the war that set the negro free, and, therefore, it was lashed into doing the right that it did not purpose to do. Does any one doubt that a clean purpose, at that time above the apprehension of any man, was behind that? Then, another lesson awaits him if he be esteemed worth saving. Can any one doubt that justice will again be executed upon us as a people if we again fail as a people? Then he is a fool, and shall in the fullness of time go the way of the fool-as shall we all, even to the striking us off of the roll of the nations, if we follow after him-or all the past of the

And it is with us yet, in a measuremaybe in an ample measure-to see to it that just and equal rights and privileges are established for every citizen of our land. It is asserted that slavery died out in the Northern States of the Union, as at first established, because slave labor was not profitable there, while it is notorious that it rooted deeper and deeper in the Southern States, and through their jealous advocacy of its maintenance and extension became so dangerous and aggressive an element in national politics, because it was a so profitable form of labor in them. It was a question in physics, then, and not in ethics; of dollars and cents, and not of morals or principles or humanity. And, that being the case, it must be obvious that a course of action promising pecuniary or material advantages was a hopeful one to adopt in dealing with the difficulties of the negro question as they now appear. The course which, of all imaginable courses, is most available for us, which lies wide open before us and imperatively demands of us that we follow it, lies ready to our hand, and will, in due time, set out inducements of a material sort to right action, in the penalty clause

of the fourteenth amendment to the Consti-If only it is given a chance! And we are not only privileged and in a position to give it a chance, but are imperatively commanded to do so whenever it is incurred. That some half dozen or more of our States are now subject to it is notorious, and if the high standard of ethics and generous sentiment which some of them claim were really theirs they would themselves move for its application. It may, however, be doubted whether they are constitutionally wrong in their action making them subject to the prescribed penalty, since its attachment to such action conveys, at least by implication, a right to so act, which view makes the more helnous the dereliction of those upon whom this duty rests; and they are our Republican party and our Republican Congress and executive. That they have not moved or seriously contemplated moving in this matter is strange beyond any power of expression when carefully considered, as they, and not the offending States, thereby become the de facto nullifiers of a clause of the Constitution, We are not at our best a peculiarly lawabiding people. We had but a day or two ago, at a center of culture here in our own State, an example of the disposition of our people to be a law unto themselves. The disregard by the Congress and executive of this command of the Constitution tends di-

STORY OF TWO GIRAFFES AND GREEN DEVIL OF JEALOUSY.

Artifice of Yerkewitz, a Wily Slav, to Bring About Reconciliation-Ringlings' Menagerie Pets.

Circus men tell many interesting stories

concerning strange friendships formed by

animals in captivity, and one of the latest hibit in Indianapolis Monday, May 11. The story relates to a pair of famous giraffes owned by the Ringlings. These animals are almost extinct, and it was with considerable difficulty that the circus men managed to secure Nellie and Snoots. Nellie was the first to enter the menagerie. She was captured when a wee baby, several years ago, and was shipped to the Ringlings in care of Albert Yerkewitz, an aged Russian, who has since been in constant charge of her. This winter Snoots was purchased from a German animal importing firm and was sent to Baraboo, Wis., the winter quarters of the circus. Then the two giraffes were introduced. Snoots was more than willing to acknowledge the distinc-tion, but Nellie turned up her extremely long nose and marched away to a dark corner of the cage, just like an independent school miss. Yerkewitz, the keeper, was in a quandary. He wanted the animals to become friends, and after lying awake nights for a week decided that the only way to beat Nellie was to make her jealous. He lost no time in putting the plan in action.
As soon as possible he secured a small black cat and placed it in the cage of Snoots. The latter at once made friends with puss, and romped with it just like a big Newfoundland dog. The friendship in-creased, and the keeper was overjoyed when Nellie attempted to annihilate the cat by stamping on it.

"She's jealous, and I think she will make up with Snoots without any more bother on my account," the keeper said to one of the Ringlings. Next day Nellie made an-other attack on the cat, and when the

SALES OF REAL ESTATE.

Forty-Two Transfers Made Matter of Record Yesterday.

Instruments filed for record in the recorder's office of Marion county, Indiana, for the twenty-four hours ending at 5 p. m. May 5, 1903: The Western Land Company to Hortense Dollarhide, Lot 15, Spades's Park add, Howard Anderson to Rilla M. Raiston, Lot 40, John W. Chamber's sub, Irving-Gustave A. Neubacher to Eugene C. Grambling, Lot 42, Morton Place add.. 8,000.00 The Berkshire Life Insurance Company John W. B. Dorsey et ux. to George A. Taffe et ux., Lot 25, Isaac N. Phipp's Springdale add

Ezra McConnell to David S. McConnell,
Lot 1, Long & Harland's Cottage Home pt of the n e ¼, Sec 8, Tp 15, R 3....... Aetna S. and L. Association to Ida B. Westfall, Lot 542, McCarty's 11th West Side add William E. Walling to William F. Sherman. Lot 29, Frank & Ryan's sub of Outlot 198, etc., city of Indianapolis.... Nora Taylor Creighton et al. to Frank
W. Norton et ux., Lot 3, Stroh's sub,
Ritter's add, Irvington...
Eugene C. Grambling et ux. to Gustave
A. Neubacher, Lot 17, W. H. Talbott's James W. Webb et ux. to Emerson G. Moore et ux., pt of the n e 1/4, Sec 13, John C. James to Charles B. Clarke,
Lot 67, Charles Martindale, trustee's,
Jackson Park add. Also, Lots 184 and
185, Charles Martindale, trustee's, Jackson Park add
Auditor of Marion county to Joshua
Zimmerman, Lots 11 and 12, S. M.
Houston's sub, May et al.'s Highland Houston's sub, May et al.'s Highland Park add James B. Pugh et ux. to George L. Pugh, Lot 21, Clifford Place add....... Armstrong Park Land Company to K. D. Hawley, Lot 569, Armstrong Park Albert Smith et ux. to Thomas H. Dinsmore, pt of Lot 185, Clark's 3d add, West Indianapolis A. Wilhelm et ux., Lots 11 and 12, S. M. Houston's sub, May et al.'s Highland Park add ... Chambers, und 1-3 pt of the n w 4, Sec 16, Tp 16, R 2. Also, pt of the n e 4. Sec 16, Tp 16, R 2. Millie A. Hess et al. to Benjamin B. Cohen, Lot 30, J. K. Sharpe's Woodside

Armstrong Park Land Company to Mar-garet Ann Neiger, Lot 451, Armstrong Park add Charles F. Danner et ux. to William C. Robison et ux., Lot 32, Theodore Christian E. Pfeffer et al. to Gustave Fickenscher, Lot 11, Wright's sub of Outlot 151, city of Indianapolis......... Rose E. Barrett to John F. Barrett, pt of Lots 72, 73 and 74, McKernan & Pierce's sub of Outlot 128, city of Indianapolis William E. Mick et ux. to Elizabeth Hitchcock, Lot 17, Geyer et al's sub, Dunlop's add

John Moore et ux. to Francis R. Jennings, Lot 2, Joseph H. Clark's North Capitol-av. add

Simon Yandes to Peter S. Parrish et ux..

Lot 121, E. T. Fletcher's 2d add, Bright-

Crown Hill Cemetery Company to Charles G. Kerr, Lot 21. Sec 39, Crown Hill W. S. Chapman et ux. to Lewis I. Chapman, Lot 71, Bradley et al.'s East Washington-st. add Elijah B. Martindale et ux. to Henry Helm et al., Lots 71 and 72, Bruce George G. Bragimier et al. to Rosa Gedig, pt of the s e 4. Sec 18, Tp 15,

rectly to foster and encourage this lawless disposition in the people. It also makes us partakers, through inaction, in the crime against humanity which the South has perpetuated, and insures us a position in the travail of righting it after God's plan if we will not right it after our own. And, speaking of God, here is a message

from him for the South and for the North as well, through one of His prophets: "You have heaped up wealth in these last days-you will find that you have heaped up a fire! I tell you, the wages of the laborers who mowed your fields, which you have been fraudulently keeping back, are crying to heaven, and the protests of your reapers have reached the ears of the Lord of Hosts." crowded streets were thrown on the white It will be better for us if we heed that O. W. SEARS.

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Martha Ridenour to John P. Findley, Lot 75, Noah A. Walker et al.'s Sunny-Henry Helm et al. to John B. Kennedy, pt of Lot 72, Bruce Place add...... Mary C. Martin et al. to National Realestate and Investment Company, Lots 34 to 39, inclusive, and Lots 62 to 72, inclusive, Dr. Martin's New York add. Also, Lots 86 to 100, inclusive; Lots 118 to 128, inclusive; Lots 130 to 138, inclusive; Lots 153 to 158, inclusive; Lots 152 to 158, inclusive; Lots 153 to 158, inclusive; Lots 155 to 158, inclusive; Lots 155 to 156, inclusive; Lots 156 to 157, inclusive; Lots 157, inclusive; Lots 157, inclusive; Lots 158, inclusive; Lots 158, inclusive; Lots 158, inclusive; Lots 158, inclusive; Lots 159, inc 182 to 185, inclusive; Lots 187, 129, 146, 148, 150, 152, 189 and 191. Dr. Martin's 2d New York add, and Lots 175, 178, 206, 208, 210, 211, 212, 214, 218 and 209, Dr. Martin's 4th New York add.

Martha E. Gerstner et al. to John M. Dalrymple, pt of Lot 115, Ovid Butler's sub Anthony J. Gerstner et ux. to John M. Dalrymple, pt of Lot 115, Ovid Butler's

John G. McCullough et ux. to Lambert D. Tyler, Lot 12, Blk 6, S. K. Fletcher's South Brookside add.
Christian Wiese et ux. to Margaret Bonge, Lots 2 and 7, Blk 2, Cumberland Transfers, 42; total consideration \$71,561.38

Building Permits. Julia Prilley, addition, 1110 Belmont, \$100. T. P. Schaefer, porch, 927 West Twenty-seventh, R. Levey, shed, 1014 South Capitol, \$40. E. A. Wise, addition, Reno and Sherman, \$100. W. Whitehead, repairs, 3216 East Twenty-fifth,

J. T. Head, repairs, 104 North Belmont, \$500, Mrs. L. B. Burton, repairs, 2116 Depot, \$36. Atlas Engine Works, cellar, \$75. A. B. Gooley, cottage, 318 Colorado, \$1,000.
L. S. Neff, repairs, 829 West Pratt, \$250.
J. D. Sanford, addition, 1440 West Ohio, \$297.
Mrs. Davis, veranda, 627 East Pratt, \$25.
J. Feiner, shed, 308 Downey, \$40.

Pencions for Veterans. Certificates have been issued to the following-Original-Abraham Starnets, Warsaw,

Ircrease—Martha Wagner, Indianapolis, \$16;
Lloyd Kimmel, Mitchell, \$17; David Whitien,
Dale, \$14; Henry Mathers, Attica, \$17; Charles
W. Allen, Thorntown, \$17; John A. Rodman,
New Albany, \$8; John Peters, Evansville, \$12;
C. A. Heath, Indianapolis, \$15 Joseph I. Burns,
Reresselaer, \$17; Joseph Z. Scott, Huntington,
\$22; William F. Mendenhall, Tocsin, \$8; Nicholad Yeager, Indianapolis, \$10; Thomas Frick,
Evansville, \$10; William N. Current, Dunkirk,
\$10; W. W. Jones, Michigan City, \$12; William
Jean, Campbellsburg, \$17; William Sample, Henryville, \$12; James N. Peter, Trinity Springs,
\$17; Edward Thornton, Fort Wayne, \$8; James
W. Ashby, Galena, \$14; James Odell, New Harmory, \$8; Franklin Berry, Grant, \$12; Thomas W. Ashby, Galena, \$14; James Odell, New Harmony, \$8; Franklin Berry, Grant, \$12; Thomas G. Eaton. Liberty, \$8; Ed Ditman, Whiteland, \$8; William H. Shaw, Fort Wayne, \$12; George Ditimer, Batesville, \$12; Joseph D. Ashley, Augusia, \$24; Edward Leidel, Madison, \$30; Harvey H. Knickerbocker, Warsaw, \$10; S. J. Thompson, She byville, \$40; Thomas L. Arnold, St. Paul, \$10; W. H. Wortman, Fort Wayne, \$10; A. H. McGormick, Romona, \$17; Nelson Faught (Mexical, war), Danville, \$12; Charles W. Carson, Chesterton, \$8; Simon Smith, Indianapolis, \$12; Rotert M. Williams, Buck Creek, \$17; Thomas H. Faulkner, Merom, \$17; Thomas Bills, Indianapolis, \$24; Charles C. Hart, Fountain City, \$40; Cherles H. Marquand, America, \$17; William W. Lacir, Boonville, \$40; Joseph W. McCabe, Fort Warne, \$55; Jeremiah Crowder, Oakland City, \$46; Charles W. Kelso, Andersonville, \$8; William Joseph, Anderson, \$2.

Widows—Anna Ewing Levering, Lafayette, \$20; minor of John L. Sterick, Cedarville, \$10; Mary A. Nash, Martinsville, \$12; Rosana Bryan, Peru, \$8; Lucy Hall, Jamestown, \$12; Clarinda J. 88; Lucy Hall, Jamestown, \$12; Clarinda Barnes, Franklin, \$8; Margaret Fisher, Lag 88; Delilah Rethel, Alexandria, \$12; Nancy Richards, Salem, \$12; Hannah L. Dodd, Ber.1. \$8; Hattle E. Fennimore, Knox, \$8; Nancy Berd. \$8; Hattle E. Fennimore, Knox, \$8; Nancy E. imith, Covington, \$8.

Mexican War-Joseph Piles, Bower, \$12; Vinton A. Matthews, Madison; Samuel Stahl, Lieters Ford, \$17; George M. Taylor, Newmarket, \$12; Oras Rarer, Tocsin, \$12; George Cox, Greencastic, \$12; Hugh M. Scott, Oxford, \$12; Lester M. Paula, Notre Dame, \$12; Cornellus W. Cosand, New Casile, \$6; Lindsay Bunner, Liberal, \$12; Samuel Glassburn, Loree, \$12; Allen Creed, New Palestine, Thomas M. Lane, Shelbyville; John Bridges, Newark; Ambrose R. Harrison, Fountaintown; Rotert Glover, Ladoga; William Radcliffe, Madison, \$12.

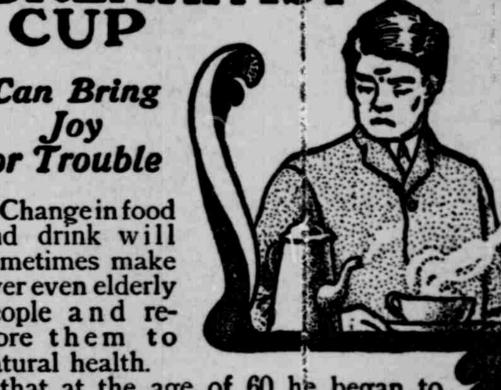
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